

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FOREST LABORATORIES, INC.,
FOREST LABORATORIES HOLDINGS,
LTD., MERZ PHARMA GMBH & CO.
KGAA, and MERZ PHARMACEUTICALS
GMBH,

Plaintiffs,

v.

COBALT LABORATORIES INC., LUPIN
PHARMACEUTICALS, INC., LUPIN LTD.,
ORCHID PHARMACEUTICALS INC.,
ORCHID CHEMICALS &
PHARMACEUTICALS LTD. (d/b/a ORCHID
HEALTHCARE), TEVA
PHARMACEUTICALS USA, INC.,
UPSHER-SMITH LABORATORIES, INC.,
WOCKHARDT USA INC., and
WOCKHARDT LIMITED,

Defendants.

C.A. No. 08-021 (GMS)

**STIPULATION AND ORDER TO EXTEND TIME FOR PLAINTIFFS
TO RESPOND TO ORCHID HEATHCARE'S MOTION TO DISMISS**

Plaintiffs Forest Laboratories, Inc., Forest Laboratories Holdings, Inc., Merz Pharma GmbH & Co. KGaA, and Merz Pharmaceuticals GmbH (collectively "Plaintiffs") and Defendant Orchid Chemicals & Pharmaceuticals Ltd. ("Orchid Healthcare") hereby stipulate, subject to the approval of the Court, as follows:

1. Orchid Healthcare filed a Motion to Dismiss for Lack of Personal Jurisdiction ("Orchid's Motion," D.I. 43) on March 3, 2008. Plaintiffs' response to Orchid Healthcare's Motion is due March 20, 2008.

2. Orchid and Plaintiffs agree that, as a result of Orchid Healthcare's Motion, jurisdictional discovery from Orchid Healthcare is appropriate at this time.

3. Orchid Healthcare has agreed to provide Plaintiffs with jurisdictional discovery. The terms and scope of this discovery shall be set forth in a separate agreement to be submitted to the Court within two weeks of the date that this Stipulation and Order is entered by the Court.

4. Orchid Healthcare has further consented to an extension of Plaintiffs' deadline to respond to Orchid Healthcare's Motion. The parties have agreed, subject to the approval of the Court, that the time for Plaintiffs to respond to Orchid Healthcare's Motion shall be extended until the earlier of (i) 10 days following the completion of jurisdictional discovery; or (ii) 90 days from the date this Order is signed.

Plaintiffs have received no prior extensions of time in connection with responding to Orchid Healthcare's Motion and the requested extension should not disrupt the schedule in this case, as there is no Scheduling Order in this case at this time.

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SO ORDERED this _____ day of March, 2008.

United States District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on March 19, 2008 I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing to:.

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I further certify that I caused to be served copies of the foregoing document on March 19, 2008 upon the following in the manner indicated:

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